

## MINUTE MAN NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT

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SEPTEMBER 11, 2008.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 5853]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5853) to expand the boundary of the Minute Man National Historical Park in the Commonwealth of Massachusetts to include Barrett's Farm, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of H.R. 5853 is to modify the boundary of the Minute Man National Historical Park in Massachusetts to include Barrett's Farm, and for other purposes.

#### BACKGROUND AND NEED FOR LEGISLATION

Minute Man National Historical Park was established by Congress on September 21, 1959, to preserve, protect, and interpret many of the historic sites and structures associated with the opening battles of the American Revolution. The Park encompasses 967 acres in total and is located in three geographical units in Concord, Lexington, and Lincoln, Massachusetts.

In December 2006, Congress directed the National Park Service (NPS) to study and assess the suitability of including the Colonel James Barrett Farm (Barrett's Farm) as part of the Park. The Minute Man National Historical Park Boundary Study and Environmental Assessment was completed in August 2007, and concluded that the farmhouse, which is "remarkably well preserved,"

and surrounding farmland met the criteria for expansion and should be included within the Park.

Colonel James Barrett was a leading Revolutionary War patriot and military figure and his farm, in Concord, played a significant role in the events leading up to the opening battles of the Revolutionary War at Lexington and Concord in April, 1775.

H.R. 5853 will permit the inclusion of a total of 67 acres within the Park boundary and add significant historical properties to the Park—but most of those will continue to be cooperatively managed by private groups and the local government. However, the NPS envisions acquiring 4.5 acres that specifically includes the Barrett farmhouse and the adjacent farmland. The Secretary is only authorized to acquire land from willing sellers with donated or appropriated funds, or by donation or exchange.

This bill enjoys the support of the entire Massachusetts Congressional delegation. A companion bill, S. 2513, supported by both Senators from Massachusetts, was reported out of the Senate Energy and Natural Resources Committee by voice vote.

#### COMMITTEE ACTION

H.R. 5853 was introduced on April 17, 2008 by Representative Tsongas (D-MA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. At a hearing before the Subcommittee on July 15, 2008, the Administration testified in support of the bill.

On July 23, 2008, the Subcommittee was discharged from further consideration of the legislation and the Full Natural Resources Committee met to consider the bill. Representative Sali (R-ID) offered an amendment requiring that the lands added to the park would be exclusively governed by state and local laws regarding the possession or use of a weapon, including a concealed weapon. The Sali amendment was not agreed to by a recorded vote of 9 yeas and 11 nays, as follows:

**COMMITTEE ON NATURAL RESOURCES**  
U.S. House of Representatives  
110<sup>th</sup> Congress

Date: July 23 , 2008

Convened: 12:31

Adjourned:

Meeting on: **H.R. 5853 - Sali #1 amendment**

✓ Recorded Vote

Vote # 1

Total: Yeas: 9

Nays: 11

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Rahall, WV		✓		Mr. Gohmert, TX			
Mr. Young, AK				Mrs. Bordallo, GUAM		✓	
Mr. Miller, CA		✓		Mr. Cole, OK			
Mr. Saxton, NJ				Mr. Costa, CA	✓		
Mr. Markey, MA				Mr. Bishop, UT			
Mr. Gallegly, CA				Mr. Boren, OK			
Mr. Kildee, MI		✓		Mr. Shuster, PA			
Mr. Duncan, TN				Mr. Sarbanes, MD		✓	
Mr. DeFazio, OR		✓		Mr. Sali, ID	✓		
Mr. Gilchrest, MD				Mr. Hinchey, NY			
Mr. Faleomavaega, AS				Mr. Lamborn, CO	✓		
Mr. Cannon, UT				Mr. Kennedy, RI			
Mr. Abercrombie, HI				Ms. Fallin, OK			
Mr. Tancredo, CO	✓			Mr. Kind, WI			
Mr. Ortiz, TX				Mr. Adrian Smith, NE	✓		
Mr. Flake, AZ				Mrs. Capps, CA		✓	
Mr. Pallone, NJ		✓		Mr. Wittman, VA	✓		
Mr. Pearce, NM	✓			Mr. Inslee, WA		✓	
Mrs. Christensen, VI				Vacancy			
Mr. Brown, SC				Mr. Mark Udall, CO			
Mrs. Napolitano, CA		✓		Mr. Baca, CA	✓		
Mr. Fortuño, PR				Ms. Solis, CA			
Mr. Holt, NJ				Ms. Herseth Sandlin, SD	✓		
Mrs. McMorris Rodgers, WA				Mr. Shuler, NC			
Mr. Grijalva, AZ		✓					
				<b>Total</b>	<b>9</b>	<b>11</b>	

Markups - 1/3 to meet (16). 25 to report  
August 27, 2008 (12:19pm)

The bill was then ordered favorably reported to the House of Representatives by voice vote.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 provides that the Act may be cited as the “Minute Man National Historical Park Boundary Revision Act”.

##### *Section 2. Minute Man National Historical Park boundary revision.*

Subsection 2(a) directs that the boundary of the Minute Man National Historical Park is to be modified to include the area generally depicted on the map entitled “Minute Man National Historical Park Proposed Boundary” and numbered 406/81001, dated July 2007. It further provides that the map shall be made available and on file for inspection by the public in the appropriate offices of the National Park Service at the Department of the Interior.

Subsection 2(b) allows for the acquisition of certain lands. It provides that the Secretary of the Interior may acquire land, or interest in land, within the area of the modified boundary described in subsection (a). It stipulates that the land may only be purchased from willing sellers with donated or appropriated funds, by donation, or by exchange.

Subsection 2(c) states that lands added to the park under Section 2 shall be administered by the Secretary of the Interior as part of the Minute Man National Historical Park, and in accordance with applicable laws and regulations.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to expand the boundary of the Minute Man National

Historical Park in the Commonwealth of Massachusetts to include Barrett's Farm, and for other purposes.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 5853—Minute Man National Historical Park Boundary Revision Act*

H.R. 5853 would modify the boundary of the Minute Man National Historical Park in Massachusetts. Based on information provided by the National Park Service (NPS) and assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost \$2.5 million over the 2009–2013 period. Enacting the bill would have no effect on revenues or direct spending.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

H.R. 5853 would add about 70 acres to the boundary of the historical park and authorize the NPS to acquire the additional acreage by purchase, donation, or exchange. CBO expects that most of the land to be added by the bill would continue to be owned and managed by the town of Concord. We estimate that the NPS would purchase less than five acres, including the site of the James Barrett Farm, for about \$2 million in 2009. Federal costs to restore and develop that property would not be significant because the current owner, a local nonprofit organization, is currently restoring it with private donations. Finally, we estimate that ongoing costs to operate and maintain the new property would be about \$100,000 a year.

On May 20, 2008, CBO transmitted a cost estimate for S. 2513, the Minute Man National Historical Park Boundary Revision Act, as ordered reported by the Senate Committee on Energy and Natural Resources on May 7, 2008. S. 2513 and H.R. 5853 are very similar, and the estimated costs of the two versions of the legislation are the same.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 5853 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

